

Application No. 10/571,878
Reply to Office Action dated 10/27/2010

REMARKS

Applicant respectfully requests favorable reconsideration and reexamination of this application. Claims 20, 30 and 33 have been revised. Claim 37 has been revised editorially. New claims 38-41 have been added. Support for the revisions and new claims can be found at, e.g., Figs. 16-17, 52-53, 55, 64-69, 73-75, 82, 87 and 89. Claims 20 and 23-41 are pending in the application.

Claim Rejections 35 USC § 102

Claims 30 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Steinhage et al. (U.S. Patent No. 2,550,945). Claims 30 and 33 have been revised to each include “a top of a ridge of the bottommost block being higher than a bottom foot of the uppermost block” of previous claim 1; thus, claims 30 and 33 are not subjected to this rejection. Applicant is not conceding the correctness of this rejection.

Claim Rejections 35 USC § 103

Claims 20 and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. (U.S. Patent No. 2,550,945) in view of Bouchard et al. (U.S. Patent No. 6,108,995). Applicant respectfully traverses this rejection.

Claim 20 requires a projecting portion formed by a sloped upper slope portion to be engaged with a downward-flared shaped recess of an upper analogous block, where a top surface, constituted by a top shoulder surface, the sloped upper slope portion and a mid ridge support the upper analogous block. These arrangements advantageously achieve leak-proof, non-watertight and soil-keeping effects when using the blocks for construction (see, e.g., the third full paragraph on page 9 of the specification, among other places).

Steinhage et al. and Bouchard et al., either alone or in combination, fail to teach a projecting portion formed by a sloped upper slope portion to be engaged with a downward-flared shaped recess of an upper analogous block, where a top surface, constituted by a top shoulder surface, the sloped upper slope portion and a mid ridge support the upper analogous block, as required by claim 20. The rejection refers to Fig. 4 of Steinhage et al. as suggesting a projecting portion formed by a sloped upper slope portion to be engaged with a downward-flared shaped recess of an upper analogous block of claim 20. However, in Fig. 4, it is the intermediate wall 7,

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107, rather than the sloped connecting webs 8, 9, that engages the upper block and supports the upper block (see Steinhage et al., Fig. 4). In fact, as clearly shown in Figs. 1-4 of Steinhage et al., the intermediate wall 7, 107 in Steinhage et al. is not sloped and should not be considered as a sloped wall. On the other hand, the top surfaces 10, 11, 110, 111 of the sloped connecting webs 8, 9 in Steinhage et al. do not engage with the upper block. Neither do the surfaces 10, 11, 110, 111 support the upper block.

Nor do Steinhage et al. teach or suggest a top surface, constituted by a top shoulder surface, the sloped upper slope portion and a mid ridge support the upper analogous block, as required by claim 20. As clearly shown in Fig. 4, only top surfaces 105, 106 and the intermediate wall support an upper block. Surfaces 110, 111 do not support the upper block.

Bouchard et al. do not remedy the deficiencies of Steinhage et al. Bouchard et al. merely discuss a block used to form a wall face (see Bouchard et al., line 4 of claim 1), instead of a block for forming a wall as required by claim 20. That is, in Bouchard et al., connecting devices, e.g., element 157 in Fig. 25, element 154 in Fig. 24, elements 160, 176 in Figs. 18, 26 and 29-31, etc., have to be provided to connect the block to a supporting structure. This is completely distinct from the present invention of claim 20.

For at least the foregoing reasons, claim 20 is patentable over Steinhage et al. in view of Bouchard et al. Claims 23-27 depend ultimately from claim 20 and are patentable along with claim 20 and need not be separately distinguished at this time. Claims 30 and 33 are patentable over Steinhage et al. in view of Bouchard et al. for at least the similar foregoing reasons. Applicant is not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. (U.S. Patent No. 2,550,945) in view of Bouchard et al. (U.S. Patent No. 6,108,995) and further in view of Bilka (U.S. Patent No. 6,606,835). Applicant respectfully traverses this rejection. Claim 28 depends from claim 20 and is patentable over Steinhage et al. in view of Bouchard et al. and Bilka for at least the same reasons discussed above regarding claims 20 and 23-27. Bilka does not remedy the deficiencies of Steinhage et al. and Bouchard et al. Applicant is not conceding the relevance of the rejection to the remaining features of the claim.

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Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. (U.S. Patent No. 2,550,945) in view of Bouchard et al. (U.S. Patent No. 6,108,995) and further in view of Hancock (U.S. Patent No. 3,355,849). Applicant respectfully traverses this rejection. Claim 28 depends from claim 20 and is patentable over Steinhage et al. in view of Bouchard et al. and Hancock for at least the same reasons discussed above regarding claims 20 and 23-27. Hancock does not remedy the deficiencies of Steinhage et al. and Bouchard et al. Applicant is not conceding the relevance of the rejection to the remaining features of the claim.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. (U.S. Patent No. 2,550,945) in view of Bouchard et al. (U.S. Patent No. 6,108,995) or French Patent 2.221.036. Applicant respectfully traverses this rejection. Claim 29 depends from claim 20 and is patentable over Steinhage et al. in view of Bouchard et al. or French Patent 2.221.036 for at least the same reasons discussed above regarding claims 20 and 23-27. French Patent 2.221.036 does not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of the claim.

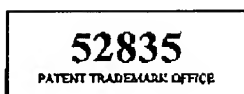
Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gravier et al. (U.S. Patent No. 5,623,797) in view of Steinhage et al. (U.S. Patent No. 2,550,945). Applicant respectfully traverses this rejection. Claims 34-35 depend ultimately from claim 33 and are patentable over Gravier et al. in view of Steinhage et al. for at least the same reasons discussed above regarding claim 33. Gravier et al. do not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claims 31-32 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhage et al. (U.S. Patent No. 2,550,945) in view of Dwyer et al. (U.S. Patent No. 1,686,270). Applicant respectfully traverses this rejection. Claims 31-32 depend from claim 30 and are patentable over Steinhage et al. in view of Dwyer et al. for at least the same reasons discussed above regarding claim 30. Dwyer et al. do not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of claims 31-32.

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Claims 36-37 depend from claim 33 and are patentable over Steinhage et al. in view of Dwyer et al. for at least the same reasons discussed above regarding claim 33. Dwyer et al. do not remedy the deficiencies of Steinhage et al. Applicant is not conceding the relevance of the rejection to the remaining features of claims 36-37.

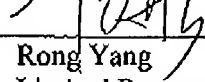
In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and reexamination are requested. Allowance of claims 20 and 23-37 at an early date is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Rong Yang, Limited Recognition No. L0279 at (612) 455-3816.



Respectfully submitted,

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